

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 780 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KALAVATIBEN WD/O JAYANTILAL MODI

Versus

INDUMATIBEN NARESHBHAI MEHTA

Appearance:

MS VP SHAH, Sr. Advocate for Petitioners
MR DV MEHTA for Respondents No. 1 to 4
MR PRASHANT G DESAI for Respondent No. 5

CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 09/12/96

ORAL JUDGEMENT

Without going into controversy, the learned advocates appearing for the parties have submitted that looking to the facts and circumstances of the case, if Regular Civil Suit No. 169 of 1994 filed in the Court 4th Joint Civil Judge (Senior Division), Surat is directed to be decided as expeditiously as possible, the petitioners' advocate is ready and willing to withdraw

this revision application.

It has been submitted that by virtue of an order passed below Exh. 5, present respondents No. 1 to 4 have been restrained from putting up construction on the land in question and if the suit is decided as soon as possible, the concerned respondents are willing to maintain status quo by not putting up further construction till the suit is finally decided.

In view of the peculiar facts and circumstances of the case, it is directed that Regular Civil Suit No. 169 of 1994 filed in the Court of 4th Joint Civil Judge, (Senior Division), Surat should be decided as expeditiously as possible and preferably within six months from today. Learned senior advocate Miss VP Shah and learned advocate Mr DV Mehta have assured this Court that their clients will extend their co-operation to the trial Court in completing the proceedings as soon as possible.

In view of the above observation, learned senior advocate Miss VP Shah seeks permission to withdraw this application. Permission is granted. This revision application is disposed of as withdrawn. Rule is discharged. Ad-interim relief granted earlier shall continue till the suit is finally decided.

sundar./